

01-10-91

CAU3743

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:



Haws, et al.

Serial No.:

09/397,481

Filing Date:

September 16, 1999

Group Art Unit:

3743

Examiner:

Atkinson, C.

Title:

METHOD AND APPARATUS FOR COOLING WITH
A PHASE CHANGE MATERIAL AND HEAT PIPES

Assistant Commissioner
for Patents

Washington, D.C. 20231

04/27/2001 DPOLLARD 00000001 020384 09397481

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Dear Sir:

I hereby certify that this communication, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on January 8, 2001, and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Willie Jiles

Willie Jiles
Express Mail Cert. No.
EL759175261US

STATUS REQUEST *ler*
AND
INFORMATION DISCLOSURE STATEMENT

This document is a Status Request, and also an Information Disclosure Statement which submits art that has been cited in two PCT applications, as discussed below.

Status Request

Applicants respectfully inquire about the status of the above-identified patent application. An Office Action was mailed on August 15, 2000, but was not complete. A Letter noting the incompleteness of the August 15 Office Action was filed in the PTO on August 28, 2000, and requested issuance of a complete Office Action. The filing of this Letter is evidenced by the enclosed copy of an acknowledgment post card which bears the PTO mailroom date stamp

of August 28, 2000. In the interim, nothing has been heard from the Examiner.

Since the Office Action dated August 15, 2000 is incomplete, and since Applicants properly brought this to the attention of the Patent Office in the Letter filed August 28, 2000, **it is the understanding of the Applicants that the six-month statutory period for a reply to the August 15, 2000 Office Action is no longer in effect**, and that the Examiner will be issuing a complete Office Action. In view of the fact that several months have elapsed since Applicant's last Letter was filed on August 28, 2000, and since Applicant has not yet received a replacement Office Action which is complete, **Applicant respectfully inquires about the status of the present application, and in particular requests prompt notice of when a complete Office Action will be issued.**

Information Disclosure Statement

Pursuant to the provisions of 37 C.F.R. § 1.56, 1.97 and 1.98, Applicant is enclosing copies of several documents which may be material to examination of the present application.

More specifically, Applicants are submitting a copy of a PCT Search Report (PCT/ISA/220 and 210), which was issued by the European Patent Office (EPO) in a corresponding PCT application (PCT Application No. PCT/US00/25297). This PCT Search Report was mailed by the EPO recently, on December 11, 2000. This PCT Search Report cites five documents, which are each a U.S. patent. Each of these five U.S. patents is listed on enclosed form PTO-1449, and a copy of each patent is enclosed.

In addition, Applicants are submitting a copy of a second PCT Search Report (PCT/ISA/220 and 210), which was issued by the European Patent Office (EPO) in another PCT application (PCT Application No. PCT/US00/25255) that corresponds to a related U.S. application (U.S. Serial No. 09/397,486 filed September 16, 1999). The related U.S. application was identified in the prior Information Disclosure Statement filed in the present application on February 8, 2000. This second PCT Search Report was mailed by the EPO recently, on December 4, 2000. This second PCT Search Report cites two documents, which are each a U.S. patent. Each of these two U.S. patents is listed on enclosed form PTO-1449, and a copy of each

ATTORNEY DOCKET NO.
004578.1025

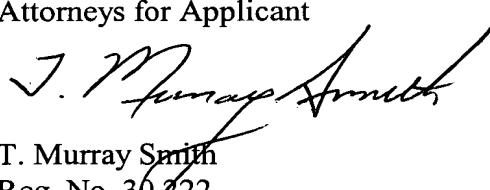
PATENT APPLICATION
09/397,481

3

patent is enclosed.

In view of the fact that the PTO has not yet mailed a proper first Office Action in the present application, the present Information Disclosure Statement is being submitted prior to issuance of a first Office Action under 37 CFR §1.97(b)(3). MPEP §609-B(1) points out that an Office Action must take into account information disclosure statements which have a filing date prior to the date on which the Office Action is mailed. When the Examiner issues a complete Office Action on the merits of the present application, it is respectfully requested that it reflect consideration on the merits of not only the documents submitted with the prior Information Disclosure Statement filed on February 8, 2000, but also the documents submitted with the present Information Disclosure Statement. Favorable consideration of this application is respectfully requested.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant



T. Murray Smith
Reg. No. 30,222

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(214) 953-6684

Date: January 8, 2001

Enclosures: Copy of Post Card Bearing PTO Mailroom
Date Stamp of August 28, 2000
Copy of PCT Search Report from
PCT/US00/25297
Copy of PCT Search Report from
PCT/US00/25255
Form PTO-1449, and one copy of each
Listed Patent
Acknowledgment Post Card

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The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

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New Appln.; C.P.A.; Con.; CIP.; DIV.;
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 FORMAL DWGS _____ PAGES
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- EXTENSION OF TIME MTHS _____
 NOTICE OF APPEAL _____
 APPEAL BRIEF _____
 ISSUE FEE _____
 CHECK NO. AMT.: _____
 SERIAL NO. 09/397 481
 OTHER Letter to PTO re: _____
Incomplete office action

NAME OF INVENTOR(S):

Haus, et al

RECEIPT DATE & SERIAL NO:

TITLE OF INVENTION:

MVA for Cooling with a Phase

CLIENT OR APPLICANT:

Raytheon

B&B FILE NO.:

004578.1025

MAILED: 8/23/2000

EXPRESS

DUE:

RECEIPT NO. _____

ATTY/SECY:

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CERTIFICATE
OF MAILING

HAND DELIVERED

